



U.S. Department of Justice
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Western District of New York

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PRESS RELEASE

August 5, 2005

RE: UNITED STATES v. TIMOTHY J. TOOHEY

Acting United States Attorney Kathleen M. Mehltrittter announced today the re-sentencing of TIMOTHY J. TOOHEY. TOOHEY, who was convicted of making a false statement on a tax return, in violation of Title 26, United States Code, Section 7206(1), after a guilty plea on February 11, 2003, was re-sentenced to a term of imprisonment of 15 months and a term of supervised release of one year by Senior United States District Court Judge John T. Elfvin. The United States Attorney's Office said that Judge Elfvin had twice previously given Toohey sentences of probation, once in May of 2003 and again in July of 2004. Both of those sentences were vacated by the United States Court of Appeals for the Second Circuit upon appeals filed by the United States Attorney's Office.

The conviction and sentence were the culmination of an investigation on the part of the Internal Revenue Service, Criminal Investigation Division, under the direction of Special Agent in Charge Anne Marie Coons.